

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MATTHEW JOHN AUSTIN,

No. 2:20-cv-1075 KJM KJN P

Plaintiff,

ORDER

v.

DEVON BELL,

Defendant.

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 26, 2020, the magistrate judge filed findings and recommendations, which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has not filed objections to the findings and recommendations.

Although it appears from the file that plaintiff's copy of the findings and recommendations was returned, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

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1 The court presumes that any findings of fact are correct. *See Orand v. United States*,  
2 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed  
3 de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law  
4 by the magistrate judge are reviewed de novo by both the district court and [the appellate] court  
5 . . ."). Having reviewed the file, the court finds the findings and recommendations to be  
6 supported by the record and by the proper analysis.

7      Accordingly, IT IS HEREBY ORDERED that:

- 8           1. The findings and recommendations filed June 26, 2020, are adopted in full; and  
9           2. This action is dismissed without prejudice for failure to prosecute. *See* Local Rule  
10          183(b).

11 || DATED: September 9, 2020.

W. Ann Miller  
CHIEF UNITED STATES DISTRICT JUDGE